THE HONOURABLE SRI JUSTICE C.V. RAMULU

WRIT PETITION No.26097 of 2007

DATED: 07.12.2007

Between:

V. Venkataiah

.. Petitioner

And

APSRTC, rep. by its VC & MD, Musheerabad, Hyderabad and another.

.. Respondents

THE HONOURABLE SRI JUSTICE C.V. RAMULU

WRIT PETITION No.26097 of 2007

ORDER:

This writ petition is filed seeking a Mandamus declaring the proceedings No.PA/19 (74)/2001/DVM/NLG, dated 09.04.2002, issued by the 2nd respondent, insofar as denial of continuity of service and backwages to the petitioner is concerned, as arbitrary and illegal.

2. Under the impugned proceedings, dated 09.04.2002, the 2nd respondent, while dealing with the appeal filed by the petitioner against the order passed by the Depot Manager, Devarakonda, removing him from service, modified the punishment of removal from service and ordered reinstatement of the petitioner afresh and also imposed certain conditions such as payment of Rs.1,000/- towards loss of revenue caused to the Corporation etc. While so, the grievance of the petitioner is that by ordering reinstatement afresh, he was denied of continuity of service and backwages, which is arbitrary and illegal.

3. The impugned proceedings were passed on 09.04.2002, pursuant to which the petitioner is continuing in service and now it is more than five years since the said proceedings have been issued. Nothing prevented the petitioner from approaching this Court within a reasonable time after issuance of the impugned proceedings, and no

reasons were furnished for the abnormal delay of five years caused in filing this petition. The writ petition suffers from irretrievable laches and is, therefore, liable to be dismissed.

4. The writ petition is, accordingly, dismissed. No order as to costs.

JUSTICE C.V. RAMULU

7th December, 2007.

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